

REMARKS

Claims 1-31 are currently pending in the application. By this amendment, claims 1, 7, 14, 20 and 27 are amended. The above amendments do not add new matter to the application and are fully supported by the specification. For example, support for the amendment to claims 1, 7, 14, 20 and 27 can be found at paragraph [0018] of the instant published US patent application 2005/02466117. Reconsideration of the rejected claims in view of the above amendments and the following remarks is respectfully requested.

Allowable Claims

Applicants note that while claims 10, 11, 23 and 24 were not rejected over the art of record, the Examiner failed to indicate that these claims contain allowable subject matter. These claims are not being presented in independent form at this time because claims 7 and 20, from which these claims depend, are believed to be allowable. Furthermore, Applicants submit that all of the pending claims are in condition for allowance and that the rejections under §§ 101 and 102 should be withdrawn.

35 U.S.C. § 101 Rejection

Claims 1-31 were rejected under 35 U.S.C. § 101 for being allegedly directed to non-statutory subject matter.

While Applicants disagree that the above-noted claims merely relate to data manipulation and do not recite a tangible structural feature (i.e., they recite a circuit

and/or a computer readable medium), Applicants are, in an effort to address this basis of rejection, nevertheless amending claims 1, 7, 14, 20 and 27 to recite, among other things, features which clearly recite structure or the application of a process to a tangible structure.

Accordingly, Applicants respectfully submit that the rejection of the above-noted claims is now moot and should be withdrawn.

35 U.S.C. § 102(a) Rejection

Claims 1-9, 12-22 and 25-31 were rejected under 35 U.S.C. § 102(a) as being anticipated by the Article entitled "Block-based Static Timing Analysis with Uncertainty" by Anirudh DEVGAN et al. This rejection is respectfully traversed.

In order to establish a *prima facie* case of anticipation under 35 U.S.C. § 102, a single prior art reference must disclose each and every element as set forth in the subject claim. *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987). Applicants respectfully submit that a *prima facie* case of anticipation has not been established as the applied reference fails to teach each and every element of the claims.

More particularly, independent claims 1 and 14 recite, *inter alia*,

wherein the method predicts a delay in circuit paths by considering a portion of the delay that is influenced by a proximity of circuit elements in a path or paths separately from a full delay distribution.

Additionally, independent claims 7 and 20 recites, *inter alia*,

computing a timing slack for the timing test using the at least one location information, wherein the at least one location information comprises a centroid of

the one or more inputs to the timing test.

Furthermore, independent claim 27 recites, *inter alia*,

determining a timing slack variation in the early path using location information on one or more elements in the early path, determining a timing slack variation in the late path using location information on one or more elements in the late path, and, computing a new timing slack for the early path and the late path by using the timing slack variation in the early path and the timing slack variation in the late path.

The applied reference does not teach, or even suggest, at least these features.

Applicants acknowledge that DEVGAN discloses a statistical timing analysis wherein "delay and arrival times in the circuit are modeled as random variables" (see page 608 col. 1, lines 19-21). Applicants also acknowledge that DEVGAN discloses that "critical paths and slack distributions can be computed for a given probability or confidence level" (see page 608, col. 2, lines 9-23). However, it is not apparent that DEVGAN discloses, or even suggests, that the method predicts a delay in circuit paths by considering a portion of the delay that is influenced by a proximity of circuit elements in a path or paths separately from a full delay distribution (claims 1 and 14). Applicants note, in particular, that the Examiner has failed to identify any disclosure in this document indicating that the disclosed analysis even accounts for a proximity of circuit elements in a path or paths, much less, doing so separately from a full delay distribution.

Furthermore, while the Examiner has identified page 610, col. 1, lines 6-17 and pages 610-612, section 3 and Fig. 9 as disclosing that the at least one location information comprises a centroid of the one or more inputs to the timing test (claims 7 and 20), it is apparent that the cited language is silent with regard to utilizing in the

analysis a centroid of the one or more inputs to the timing test. Nor has the Examiner explained how such language or the drawing of Fig. 9 can be interpreted to disclose or suggest utilizing a centroid of the one or more inputs to the timing test in the analysis.

Moreover, while the Examiner has alleged that DEVGAN discloses determining a timing slack variation in the early path using location information on one or more elements in the early path, determining a timing slack variation in the late path using location information on one or more elements in the late path, and computing a new timing slack for the early path and the late path by using the timing slack variation in the early path and the timing slack variation in the late path (claim 27) at pages 608-610, the Examiner has failed to identify any specific language in this document in support of such assertions. Applicants note, for example, that while the noted language discusses comparing deterministic arrival times and probabilities thereof (see Fig. 3), there is no apparent disclosure or suggestion indicating that both early and late paths are accounted for, much less, that a timing slack variation thereof is utilized in the analysis. Nor has the Examiner explained how the noted language can be interpreted to disclose or suggest these features.

Applicants emphasize that whereas DEVGAN uses a statistical probability analysis to determine critical paths and slack distributions, the invention, by way of example, uses actual determined information in the timing test.

On pages 7-9 of the instant Office Action, the Examiner identifies certain language of DEVGAN and explains that the noted language discloses predicting a delay in circuit paths by considering a portion of the delay that is influenced by a proximity of

circuit elements in a path or paths separately from a full delay distribution (claims 1 and 14), that the at least one location information comprises a centroid of the one or more inputs to the timing test (claims 7 and 20), and determining a timing slack variation in the early path using location information on one or more elements in the early path, determining a timing slack variation in the late path using location information on one or more elements in the late path, and computing a new timing slack for the early path and the late path by using the timing slack variation in the early path and the timing slack variation in the late path (claim 27).

Conspicuously absent from the Examiner's comments, however, is any explanation as to how the noted language, which merely generally discusses how to compute an arrival time at the output of a gate, can be properly interpreted to disclose the recited features which specifically recites predicting a delay in circuit paths by considering a portion of the delay that is influenced by a proximity of circuit elements in a path or paths separately from a full delay distribution (claims 1 and 14), and/or that the at least one location information comprises a centroid of the one or more inputs to the timing test (claims 7 and 20), and/or determining a timing slack variation in the early path using location information on one or more elements in the early path, determining a timing slack variation in the late path using location information on one or more elements in the late path, and computing a new timing slack for the early path and the late path by using the timing slack variation in the early path and the timing slack variation in the late path (claim 27). Applicants remind the Examiner that it is the Examiner who bears the initial burden of establishing how each claim feature is

disclosed by the applied reference.

Furthermore, dependent claims 2-6, 12, 13, 15-19, 25, 26, 28, 30 and 31 recite additional features which are not disclosed, or even suggested, by DEVGAN and the Examiner has not shown otherwise.

For example, DEVGAN clearly fails to disclose the logic cone of claims 2 and 15, the bounding region recited in claims 3-6, 16-19 and 28, and the abstract location information of claims 12, 13, 25 and 26. In particular, whereas DEVGAN teaches determining the information statistically for paths, it is not correct that DEVGAN teaches gathering one set of information for the entire input cone.

Accordingly, Applicants respectfully submit that the rejection under 35 U.S.C. § 102(a) should be withdrawn.

CONCLUSION

In view of the foregoing amendments and remarks, Applicants submit that all of the claims are patentably distinct from the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue. The Examiner is invited to contact the undersigned at the telephone number listed below, if needed. Applicants hereby make a written conditional petition for extension of time, if required.

Please charge any deficiencies in fees and credit any overpayment of fees to
Deposit Account No. 09-0456.

Respectfully submitted,
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A handwritten signature in black ink, appearing to read "Andrew M. Calderon", written over a horizontal line.

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